APPENDIX A

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF GEORGIA
SAVANNAH DIVISION

Civil Action No.: CV496-211

NANCY KIMBALL KRIPPENE, INDIVIDUALLY AND AS THE EXECUTRIX OF THE ESTATE OF URBAN M. KRIPPENE, DECEASED,

Plaintiff,

VS.

RONALD LOWE, SR., AND AS CHIEF OF POLICE OF CHATHAM COUNTY POLICE DEPARTMENT; AND BOARD OF COMMISSIONERS OF CHATHAM COUNTY, GEORGIA, AND CHATHAM COUNTY, GEORGIA, POLITICAL SUBDIVISIONS OF THE STATE OF GEORGIA

Defendants.

Transcript of Deposition of SHERIFF AL ST. LAWRENCE, taken by counsel for the Plaintiff at 124 Bull Street, Savannah, Georgia, reported by Lucy B. Roberts, Certified Court Reporter, on the 5th day of February, 1997, beginning at approximately 2:10 p.m.

* * * *

[11] Q What if his performance in the Sheriff's Department had been totally unacceptable by his superiors?

A I don't know that was the case.

* * * *

[15] Q The document speaks for itself. My question is this at this point. Why was this man hired when he had an evaluation on March 19, 1991 from the Sheriff's Department of being totally unacceptable?

A His evaluation on his particular job performance, whatever he was doing there was totally unacceptable is what the Undersheriff here says.

Q Well, you told me earlier in the deposition—

A —I don't know that I've ever seen this. I don't know that I had seen it at the time I hired him.

* * * *

[52] Q Well, let me ask you this. What was the policy at the time that you left as to whether or not police officers received speeding tickets if they were caught speeding under a circumstance of this nature?

A They were disciplined.

Q Did they receive a ticket?

A They should have, yes.

Q And, if they didn't—

A —That was up to the agency that clocked him.

Q Okay. If it was Chatham County agency, Chatham County Police officers.

A Uh-huh. The officers are not above that.

Q I hope not.

A That's what I'm telling you.

Q If he did not receive a written ticket, was he above what citizens—other citizens are treated?

[53] A Every citizen that's clocked don't get a ticket, but I mean, you know, I can't speak to that because I don't know.

Q Going back to my original question, if a police officer is caught speeding while operating a Chatham County police vehicle and he is not responding to a call or an emergency or in pursuit the policy was under your command to issue a written ticket.

A No, that would be up to the officer on the street.

Q Okay.

A It wouldn't be up to me. I'm not the one trying to run him down and get him on radar for speeding.

Q Okay. So, there was really no—was it an arbitrary policy?

A No. No, my policy would have been to discipline him for speeding regardless of whether he got a ticket or not.

Q Okay. You would discipline him regardless of whether he got a ticket or not.

A That's exactly right. It wouldn't make any difference.

* * * *

APPENDIX B

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF GEORGIA
SAVANNAH DIVISION

Civil Action No.: CV496-211

NANCY KIMBALL KRIPPENE, INDIVIDUALLY AND AS THE EXECUTRIX OF THE ESTATE OF URBAN M. KRIPPENE, DECEASED,

Plaintiff,

VS.

RONALD LOWE, SR., AND AS CHIEF OF POLICE OF CHATHAM COUNTY POLICE DEPARTMENT; AND BOARD OF COMMISSIONERS OF CHATHAM COUNTY, GEORGIA, AND CHATHAM COUNTY, GEORGIA POLITICAL SUBDIVISIONS OF THE STATE OF GEORGIA,

Defendants.

Transcript of Deposition of MAJOR WILLIAM R. FREEMAN, taken by counsel for the Plaintiff at 124 Bull Street, Savannah, Georgia, reported by Lucy B. Roberts, Certified Court Reporter, on the 6th day of February, 1997, beginning at approximately 1:00 p.m.

* * * *

[11] Q Were you aware that when he came onto the police force in April of '91 that he had had a totally unsatisfactory evaluation by the Sheriff's Department immediately before his transfer?

A No.

* * * *

[43] Q Okay. We'll address that in just a moment. Let me ask you this. As I understand it Bryan Smith was

caught speeding on radar around lunch time going through a school zone.

A I would not know that—

Q —The particulars

A I don't know the particulars.

[44] Q Okay. Nevertheless, would he have been given a speeding ticket for these two incidents?

A He could have been, yes, but was not.

Q He was not.

A Apparently not. If he was, I'm not aware of it.

Q Well, I'm not either. From a review of his file, and that's all we have.

A Yeah.

Q What was the practice of the Police Department as to issuing citations—uniform citation tickets for speeding to police officers?

A The practice there, if he was in a departmental automobile, and apparently he was, report it to the supervisor, which they did.

Q Right.

A And, there is disciplinary action taken.

Q Okay. But they aren't issued a citation?

A He could have. That would have been entirely up to the supervisor. It could have been—I could have ordered one given to him. I did not.

Q And, why didn't you?

A Because I thought I gave him enough.

Q Pardon me?

A I thought I give him enough discipline. I took his car for thirty days.

[45] Q Okay. Did you think he needed to go back to driving school at that time?

A Did I personally think that?

Q Yes, sir.

A I don't recall.

Q Do you think he should have been terminated at that time?

A Apparently if I had I would have recommended it. I did not.

Q Do you think his work performance was improving at that time from the July 2nd, 1991 memo?

A His work performance, apparently it did. Maybe his driving habits, but not his work habits.

Q Well, didn't you recognize that he could be a danger to the motoring public in general by operating a vehicle in the pattern that he was demonstrating?

A On this one particular time?

Q No. Leading up to this one particular time. Leading up to May—I'm sorry—whatever the date was—May 12, 1992.

A Let me answer that question. We took what I thought as Division Commander the disciplinary action that needed to be taken. Whether I thought he was an extreme danger to the public, no, I didn't think so.

APPENDIX C

[PLAINTIFF'S EXHIBIT 6]

CHATHAM COUNTY
HUMAN RESOURCES DEPARTMENT
Realty Building
24 Drayton Street, Suite 110
Savannah, GA 31401

June 7, 1991

Officer Bryan Smith
126 Neva Bluff Drive
Savannah, Georgia 31406

Dear Officer Smith:

The Chatham County Personnel Advisory Board, in accordance with the Personnel Ordinance and Procedures, heard your appeal on denial of promotion filed against the Sheriff's Department. Below are our findings:

1. Officer Smith received an annual performance evaluation on March 18, 1991, covering the period of April, 1990 through March, 1991.

2. During that time period, you were assigned to the Court Services Division and to the Street Division.

3. Your record reflects the following for that time period: Six Weeks—Peace Officers Standards & Training Academy; Five Weeks—Military Training; and Five Weeks—Assigned to Street Division.

4. The March, 1990 performance evaluation reflected a score of 27 out of a possible 33 points (met position requirements).

The November, 1990 Probation Evaluation reflected a score of 5.6 out of a possible 10 (met position requirements.

The March, 1991 Annual Evaluation reflected a score 4.4 out of a possible 10 (Fair—Must Improve to Satisfactory).

5. Testimony from Sergeant Hood revealed that Officer Smith's performance declined considerably from November to March of 1991. Examples of performance deficiencies that were cited include: Repeatedly leaving the assigned post; failure to secure lock-up; inappropriate court room behavior; and reports of problems during assignment to the Street Division.

6. You did not question the legitimacy of the incidents cited by Sergeant Hood. However, you did maintain that none of your supervisors, including Sergeant Hood, ever counselled or reprimanded you for performances deficiencies.

7. Sergeant Hood acknowledged that he did not execute formal disciplinary action against you in hopes that your performance would improve.

Based upon a thorough review of the written documents and testimony given at the Appeals Hearing, the Board renders the following determination.

The action of the Sheriff's Department was to extend the probationary period until June 30, 1991 in order to give you an opportunity to correct the performance deficiencies outlined in your evaluation.

Therefore, the Boards finds that the action taken by the Sheriff's Department does not constitute a denial of promotion. The decision on your promotion was postponed for three months in accordance with County policy.

Respectfully Submitted,

/s/ James Brown by
Barry Whitehead
JAMES BROWN
Acting Chairman

/s/ Roger Orr
ROGER ORR
Member

/s/ Robert J. Duffy
ROBERT DUFFY
Member

CC: Sheriff Walter Mitchell, Jr.

APPENDIX D

STATE OF GEORGIA)
)
COUNTY OF CHATHAM)

AFFIDAVIT OF RONALD LOWE, SR.

PERSONALLY APPEARED before the undersigned officer duly authorized by law to administer oaths, RONALD LOWE, SR., who first being duly sworn, deposes and says:

1. This Affidavit is made upon my personal knowledge. I am of legal age and competent to testify to the matters stated herein. I understand that this Affidavit will be utilized in support of Defendants' Motion for Summary Judgment or for such other purposes allowable by law in a lawsuit now pending in the United States District Court for the Southern District of Georgia, Savannah Division, entitled *Nancy Kimball Krippene, Individually, and as the Executrix of the Estate of Urban M. Krippene, deceased, v. Ronald Lowe, Sr., Individually and as Chief of Police of Chatham County Police Department; and Board of Commissioner of Chatham County, Georgia and Chatham County, Georgia, Political Subdivisions of the State of Georgia,* Civil Action No. CV496-211.

2. I am Chief of Police of Dayton, Ohio. I was Chief of Police of Chatham County from July, 1993 through March, 1995. As Chief of Police of Chatham County, I was selected by and reported to the County Manager. When I deemed it appropriate to terminate a police officer, I made a recommendation to the County Manager who had the final authority.

3. On October 1, 1994, I issued the Police Field Operations Manual to all sworn officers and all supervisors of the Police Department. The manual contains Standard Operating Procedures ("S.O.P.") which are statements of policy for the Chatham County Police Department. Em-

ployees of the Police Department are required to know and understand the S.O.P.'s while performing their duties. Copies of my notification about the manual, the mission statement of the Chatham County Police Department, and the table of contents for S.O.P.'s which apply to all divisions in the Police Department are attached. (Exh. 1) All sworn officers, including Bryan D. Smith, were given a manual. On or about November 1, 1994, in-service training on the S.O.P.'s was given to all sworn officers of the department, including Bryan D. Smith. A copy of S.O.P. #10-040, "Vehicle Operation", is attached. (Exh. 2) A copy of S.O.P. #10-016, "Emergency Vehicle Operation," is attached. (Exh. 3) This S.O.P. incorporates O.C.G.A. § 40-6-6 which requires the driver of an authorized emergency vehicle to drive with due regard for the safety of all persons.

4. The S.O.P.'s were adopted pursuant to General Orders, which are written directives. General Order # GO94-013, entitled "Vehicle Operation", was in effect when I left Chatham County. A true and correct copy is attached as Exhibit 4. True and correct copies of the prior orders on the same subject issued during my tenure are attached as Exhibits 4-1 and 4-2. General Order # GO91-007, "Vehicle Operation", was in effect when I became Chief. A true and correct copy is attached as Exhibit 4-3.

5. On November 18, 1994, I was notified that Bryan D. Smith was involved in an automobile accident in his police vehicle while he was on his way to work. I was informed that the accident was serious and that the driver of the other vehicle had been taken to a hospital. I requested an Internal Affairs investigation because of the seriousness of the accident.

6. During the course of the investigation, I was informed that the driver of the other vehicle died. I was also informed that the City of Savannah was charging Smith with speeding and homicide in the second degree under O.C.G.A. § 40-6-393(b).

7. On November 29, 1994, I wrote Smith a letter giving him official written notification that he was suspended without pay pending the outcome of the Internal Affairs investigation. (Exh. 5) I made the decision to suspend Smith because of the seriousness of the accident and the seriousness of the charges against him. I did not believe that it was in the best interest and general welfare of the County and its citizens to allow Smith to continue working during the investigation. I informed Smith that he was being referred to a psychologist to assist him in dealing with the stress of the accident.

8. The Internal Affairs investigation concluded that Smith had exceeded the posted speed limit and had violated County Police Department S.O.P. #10-040 which requires the driver of any police vehicle to operate the vehicle in a reasonable and safe manner and to comply with the motor vehicle laws and traffic regulations. (Exh. 2) Officer Scott Simpkins, an accident investigator who assisted with the investigation by Internal Affairs, concluded that Smith was traveling in excess of 65 miles per hour.

9. I reviewed the disciplinary actions in Smith's personnel file. The personnel file showed that Smith had a history of speeding, automobile accidents, incidents involving poor judgment and failure to follow departmental policy.

10. I decided to recommend termination of Bryan D. Smith after considering all the information that I had reviewed. I believed that Smith was a liability to the County and to the citizens of the County. On January 12, 1995, I wrote a letter to Smith informing him of my recommendation that he be terminated. (Exh. 6) He was informed that he could appeal. (*Id.*) He appealed and the Personnel Advisory Board concurred with my recommendation. The County Manager upheld the decision.

11. My termination letter to Smith refers to an accident involving Smith's vehicle. It states: "September 26,

1993 Auto accident, Spanky's parking lot in Pooler. No disposition." A copy of Smith's confidential on this accident is attached. (Exh. 7) I signed the confidential. There was no disposition because Smith's vehicle was hit in the parking lot while he was in the restaurant. My termination letter to Smith refers to another accident involving Smith's vehicle. It states: "January 8, 1994 Auto accident Krystal's parking lot, Garden City. No disposition." A copy of Smith's confidential on this accident is attached. (Exh. 8) There was no disposition because Smith's vehicle was backed into at the drive thru of the restaurant.

12. During my tenure as Chief of Police of Chatham County, I disciplined and terminated other police officers.

13. I recommended the termination of Officer J.J. Famiglietti. I made this recommendation because of repeated acts of insubordination on May 30, 1994, his failure to follow a directive by his commanding officer and a history of violations of personal conduct. On September 9, 1993, I had suspended him for 10 days without pay for being intoxicated in a public place while he was off duty and requesting a County officer not to write a report about a patron who fell.

Mr. Famiglietti's personnel file also showed other incidents for which he was suspended. In 1992, he was suspended without pay for 5 days for discharging a firearm at the Bull River Yacht Club Dock. In 1987, he was suspended without pay for using his blue lights and siren without authorization.

The Personnel Advisory Board agreed with my recommendation to terminate Mr. Famiglietti, and the County Manager upheld the termination.

14. On April 5, 1994, I approved the recommendation of Major Young to suspend Officer Overholser for 3 days without pay for conduct unbecoming an officer during a traffic stop.

15. On December 8, 1994, I recommended the termination of Officer Wyche. Mr. Wyche was clocked speeding on December 7, 1994. He radioed to the officer who clocked him and asked if he was going too fast. The officer told him that he was going "way too fast". Mr. Wyche stated in his report, known as a "Confidential", that he was in pursuant of a vehicle. Investigation of the incident reflected that there was no radio communication about any pursuit. It was concluded that Wyche had created a phantom vehicle and was simply speeding on his way to work. I recommended termination because Mr. Wyche violated Georgia law and departmental policy and was untruthful. On September 6, 1994, I had suspended Wyche without pay after he was charged with simple battery under the Domestic Violence Act.

16. On January 18, 1994, I gave a written reprimand to Officer J.A. Gonzalez. The day before, Officer Gonzalez was involved in a collision after passing a vehicle within 100 feet of an intersection. He was responding to a domestic dispute but was not traveling Code 3. I warned Officer Gonzalez in my written reprimand that any further violation would result in harsher disciplinary action, up to and including loss of pay and a loss of days worked.

17. At all times I acted in good faith within my discretionary authority in the performance of my official duties as Chief of Police. I exercised my judgment in a reasonable manner and followed the policies and procedures of Chatham County and the Chatham County Police Department to the best of my ability.

Further deponent sayeth naught.

/s/ Ronald Lowe, Sr.
RONALD LOWE, SR. (L.S.)

[Notary Omitted in Printing]

APPENDIX E

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF GEORGIA
SAVANNAH DIVISION

Civil Action No. CV496-211

NANCY KIMBALL KRIPPENE, INDIVIDUALLY AND AS THE EXECUTRIX OF THE ESTATE OF URBAN M. KRIPPENE, DECEASED,

Plaintiff

-vs-

RONALD LOWE, SR., INDIVIDUALLY AND AS CHIEF OF POLICE OF CHATHAM COUNTY POLICE DEPARTMENT

-and-

BOARD OF COMMISSIONERS OF CHATHAM COUNTY, GEORGIA

-and-

CHATHAM COUNTY, GEORGIA POLITICAL SUBDIVISIONS OF THE STATE OF GEORGIA,

Defendants

DEPOSITION OF RONALD LOWE, SR., taken before me, Norma J. deRoziere, a Certified Shorthand Reporter and Notary Public in and for the State of Ohio at large, as upon Cross-Examination, pursuant to Notice and Agreement, at the Dayton Police Department, Safety Building, Room 164, 335 W. Third Street, in the City of Dayton, County of Montgomery and State of Ohio, on Wednesday, the 22nd day of January, 1997, commencing at 8:00 o'clock A.M., on behalf of Defendants.

* * * *

[38] Q. If Bryan Smith's personnel file had been brought to your attention by one of the Majors prior to

Mr. Krippene's death, is it a fair statement that you would have terminated Mr. Smtih?

A. No.

Q. Would you have taken corrective action against him?

A. I would have had it investigated to find out what in fact had been done, if anything, pertaining to Bryan Smith, and some of the problems that were surfacing that was observed by myself in his background. If you have an individual that shows a consistency, and that is what I mean by consistency, which might be entirely different than the former Sheriff or any other Chief, but if there is a pattern of a lack of feeling, or disrgard for rules and regulations, then there needs to be [39] something set in place, be it discipline or whatever, some type of corrective action to see if in fact the employee will respond.

Q. And if the employee doesn't respond do you agree with me the employee should be terminated?

A. Under my consistency definition, yes.

Q. And did you see in Mr. Smith's personnel file that corrective actions that were taken didn't seem to work with him?

A. Yes, this is a fair statement.

Q. Even prior to Mr. Krippene's death the corrective action didn't seem to work with Mr. Smith?

A. That was basically one of the reasons that I recommended he be termintaed.

Q. My question is, prior to Mr. Krippene's death, if you had reviewed his file and seen that the corrective action had been done, such as suspending take-home privileges, vacation days, wasn't working, don't you agree with me he should have been trmianted?

A. No, I'm not saying that. If that in fact had been the reason, if the accident in fact had not been the reason for his personnel jacket being brought before me, then if his counseling or his take-home duties, or his—whatever discipline he had, then I would have looked at all of those situations. I can't speculate and say at [40] this point that I would have asked for termination on him. Had he just

had an accident, and not an accident with Mr. Krippene—is that his name?

Q. Right.

A. I can't honestly sit here now and say that. What I can say to you was when I interviewed him, and in looking at his history, and looking at his lack of—his not being able to follow instructions, and disregarding rules and regulations, and that was a perception on my part, I felt that he had total disregard for human life because of a statement that he made.

Q. Now which statement are you referring to?

A. About, "so I had an accident and the guy died."

Q. Now that was what you perceived as an attitude problem, or he just doesn't care about human life?

A. I just thought it was an attitude thing, but my main concern was, I showed him his history in driving. And I explained to him at that time, it's unacceptable, and that I was going to recommend to the County Manager that he be termianted because of the consistency in which these things had occurred, evern before I got there.

* * *

* * * *

[115] Q. Do you know, were there any officers that demonstrated a pattern of reckless disregard of public safety on the highways or the streets, such as Bryan Smith demonstrated?

A. There probably have been.

Q. You say there probably have been. I'm just asking if you recall any specific incidents in your [116] recollection today. I'm not asking for probables. I'm asking for what you can recall.

A. No.

Q. You can't recall any?

A. No.

MR. BERGEN: I believe that is all we have. Thank you very much.

Reserve the right to read and sign.

(WHEREUPON, Deposition Concluded—11:20)

APPENDIX F

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF GEORGIA
SAVANNAH DIVISION

Civil Action No.: CV496-211

NANCY KIMBALL KRIPPENE, INDIVIDUALLY AND AS THE EXECUTRIX OF THE ESTATE OF URBAN M. KRIPPENE, DECEASED,

Plaintiff,

VS.

RONALD LOWE, SR., AND AS CHIEF OF POLICE OF CHATHAM COUNTY POLICE DEPARTMENT; AND BOARD OF COMMISSIONERS OF CHATHAM COUNTY, GEORGIA, AND CHATHAM COUNTY, GEORGIA POLITICAL SUBDIVISIONS OF THE STATE OF GEORGIA,

Defendants.

Transcript of Deposition of CORPORAL NEAL OWENS, taken by counsel for the Plaintiff at 124 Bull Street, Savannah, Georgia, reported by Lucy B. Roberts, Certified Court Reporter, on the 24th day of February, 1997, beginning at approximately 8:05 a.m.

* * *

[12] Q Is that kind of what the policy that you'all would do, is not to pull over unmarked—I mean a marked unit?

A At the time we had had apparently a great deal of complaints on speeding patrol cars and I don't remember if it was written, I'm sure it was. The Traffic Unit officers were advised if we saw officers speeding to let their supervisor know. And, like I said, I was going to get with Bryan when [13] he cleared from his 33, you know, and see what kind of response I got out of him to see how I would take the next step.

Q So, at that time as you understood, there had been complaints. Was it from other citizens?

A Yes, sir.

Q Of patrol cars speeding not responding to a call, I take it.

A Apparently so.

Q Okay. And, as I understand, either you believe it was written or you were told. Do you think it was written?

A I don't recall. It's been so long ago, I don't recall.

Q But you understood that you'all were supposed to do—

A —Right.

Q —if you clocked somebody such as Bryan Smith who is going to lunch, speeding eighty miles an hour in a fifty-five mile an hour zone, report it to the supervisor.

A Right.

Q You weren't to write them up a ticket.

A No, sir.

Q Was it a—was it a policy not to write up a speeding ticket to a police vehicle?

A Not that I know of.

[14] Q But you understood that was the—for this particular time if you clocked a marked vehicle speeding, you were just to report it.

A Right.

Q Okay. You weren't to do any—you weren't to write a speeding ticket.

A Not to my knowledge, we were not supposed to.

Q. And, that was a department-wide policy for the Traffic Unit.

A I don't know if I'd call it a policy.

Q Or practice.

A That's what we were told to do.

Q That's what you'all were told to do.

A Uh-huh.

* * * *

[15] Q And, who would have given you that instruction?

A I think Lieutenant Hill was our Lieutenant when [16] that came out, if I'm not mistaken.

Q You didn't—you weren't in a supervising capacity —supervisory capacity of Bryan Smith, were you?

A No, sir.

Q He was—basically you'all were—I don't want to—

A —I was just a regular APO.

Q Okay. And, he was a regular APO at that time.

A Yes, sir.

Q You'all were on the chain of command equal.

A Yeah, we were—

Q —Parallel.

A —we were peons.

* * * *

[20] Q Right.

[21] A You're just a regular Joe Smoe riding around.

Q Isn't it true that he—Bryan Smith had not come back off of dinner break the second time that he was caught speeding?

A Yes, sir. He had already cleared up. He went 10-8 with Chatham.

Q Okay. He had already—okay—I'm glad you explained that to me. The first time he was cleared to go to dinner.

A. Right. He was in route to wherever he was going to eat.

Q Okay. And, then the second time within forty-five minutes, had he gone back on patrol or was he still—

A —No, he had already cleared up.

Q Okay.

A And, went 10-8 back in service.

Q And, the second time he was not responding to an emergency call, was he?

A No, sir.

Q He wasn't using his blue lights, was he?

A No, sir.

Q So, he is subject to the same Georgia motor vehicle laws that you—that I'm subject to.

A Same uniform rules of the road.

Q Okay.

[22] A Just like anybody else.

Q However, he—if Fred Bergen or Emily Garrard was going down Islands Expressway at eighty or eighty-one miles an hour, you would have pulled us over, wouldn't you?

A Definitely.

Q And, you would have issued us a ticket.

A Probably so.

Q Okay.

(Note: Off the Record)

(Note: Record Resumed)

Q (By Mr. Bergen) Basically you would have written up a citizen—

A —Yes, sir.

Q —for the same violations that Bryan Smith on both occasions.

A Right.

Q By virtue of the fact that he was a policeman on your same—with your same authority, you didn't write him up.

A Right.

Q Give him a ticket in other words.

A Right.

Q And, is that what the practice was—

MS. GARRARD. —I think he's already answered that question. You've already asked him that several [23] times about what the practice was or what he was instructed.

MR. BERGEN: I was going to ask him a different question.

Q (By Mr. Bergen) Was that—maybe I have, but let me just make sure I've got this straight in my mind. Was that—the practice of not writing up other police

officers done County wide—issuing police tickets, in other words?

A Well, I mean it's nothing written that you don't write police officers tickets. You know, I mean it's, you know, every profession has what they call professional courtesy. I've never written a police officer a ticket that I knew was a police officer.

Q But the police officers are not supposed to speed in their vehicles—

A —Right.

Q —unless they were responding to an emergency.

A Right, in a police vehicle, yes, sir.

Q And, as I understand it, someone superior to you instructed you—it was either in writing or orally—that if you'all caught anybody speeding to just report them to the supervisor.

A Right, to the supervisor.

Q Don't issue them a ticket.

A Right.

* * * *